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10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 WALTER PEREZ ESCOBAR,
15 MARGARITO GONZALEZ and
FRANCISCO CISNEROS-ZAVALA,
16 individually and on behalf of all others
similarly situated,

17 Plaintiffs,

18 v.

19 WHITESIDE CONSTRUCTION
20 CORPORATION, NMS SUPPLY INC.,
J.W. CONSTRUCTION, INC. and
21 DAVID R. WHITESIDE,

22 Defendants.
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Case No. CV-08-1120 WHA

**NOTICE OF MOTION AND
MOTION FOR
CERTIFICATION OF A
COLLECTIVE ACTION**

Date: August 21, 2008
Time: 8:00 AM
Courtroom: 9
Judge: Hon. William Alsup

PROOF OF SERVICE

I am an attorney for Plaintiff herein, over the age of eighteen years, and not a party to the within action. My business address is Harris & Ruble, 5455 Wilshire Boulevard, Suite 1800, Los Angeles, California 90036. On July 16, 2008, I served the within document(s):

**NOTICE OF MOTION AND MOTION FOR CERTIFICATION OF A
COLLECTIVE ACTION**

I caused such to be delivered by hand in person to:

N/A

I caused such to be delivered by fax or e-mail to:

N/A

I am readily familiar with the Firm's practice of collection and processing correspondence for mailing. Under that practice, the document(s) would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business, addressed as follows:

N/A

I caused such to be delivered via the Court's CM/ECF System to:

Paul Simpson -- psimpson@sgilaw.com

I declare under penalty of perjury that the above is true and correct.

Executed on July 16, 2008, at Los Angeles, California.

/s/
David Zelenski